

REMARKS AND RECORD OF TELEPHONE INTERVIEW

On April 10, 2003, the undersigned attorney called the Examiner and informed him that in response to the Final Office Action mailed February 13, 2003, a response was sent via facsimile on April 9, 2003. However, inadvertently, the response did not contain a complete listing of all the claims as required by the revised amendment format pursuant to the USPTO waiver of 37 CFR 1.121, but, instead, only listed the currently amended claims and that, *therefore, this revised amendment after final would be submitted to substitute for the previously transmitted response.* A *complete listing of all the claims has been included in this response.* Please enter and consider this amendment and remarks.

Applicant wishes to thank the Examiner for considering the present application. In the Final Office Action mailed February 13, 2003, claims 18-66 are pending in the application. Applicant respectfully requests the Examiner for reconsideration.

Claims 29-66 stand rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor, at the time the application was filed, had possession of the claimed invention. Applicant respectfully traverses.

The Examiner states that the specification and the drawings only show satellite wire for the first termination and a radome, and a plurality of second terminations in various rooms of a house. The first termination is coupled to the satellite receiving device and the second termination is coupled to a connector.

Applicant respectfully submits that a multiple-unit satellite ready building is contemplated in the present application. Page 4, line 19, states that,

"However, those skilled in the art would recognize that the satellite ready concept is applicable to various types of buildings including commercial buildings and multiple-unit family dwellings." Page 5, lines 1-2 states that, "Referring now to Figure 1, a building such as a house 10 has a satellite ready installation 12 (only part of which is shown)." Although Fig. 1 refers to a house 10, the house 10 is more broadly referred to as a building. Thus, the building could be a multiple-unit family dwelling or a commercial building. It should be also noted that Fig. 1 is a perspective view of a satellite ready house according to the present invention. The perspective view only shows one portion of the roof, the front side, and the right side of the building. Also, the cutaway portion of the front elevational view shown in Fig. 2 is also only one view of the building. For a multi-unit building, more than one system would be included on a building. The Examiner supports this argument with the comment that more than one unit would be obvious to one of ordinary skill in the art. The Examiner states this on page 6, beginning on line 14 of the Final Office Action: "It would have been obvious to one having ordinary skill in the art at the time the invention was made to have more than one radomes and satellite wires connecting to more than one terminations, since it has been held that mere duplication of the essential working device involves only routine in the art." Thus, since multi-unit buildings were suggested by the present invention, Applicant respectfully requests the Examiner to reconsider this rejection. Furthermore, if requested by the Examiner, the Applicant is willing to amend Fig. 1 or add a new view to show more detail of the multi-unit dwelling contemplated. It should also be noted that on page 5, line 25 of the specification, it states, "Also, those skilled in the art would recognize that more than one satellite antenna 24 and more than one radome 14 may be installed on a roof 16 if various services require various directional pointing or other types of antennas." Thus, each radome for each system would have a

termination as taught by the present invention. Applicant respectfully believes that since the multi-unit dwelling is described in the present application, that such an addition would not be new matter. Should the Examiner require a new drawing, Applicant respectfully requests the Examiner to contact the undersigned immediately so that such drawing may be made or amended.

Claims 29-66 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that the third and fourth terminations and the second radome are considered new matters. As mentioned above, Applicant believes that more than one radome is contemplated directly in the application. Also, more than one system is contemplated for use in a multi-unit dwelling. Therefore, Applicant believes that these limitations are not new matter. Also, as mentioned above, Applicant is willing to amend the drawings upon the Examiner's request.

Claims 30-43 and Claims 58-66 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention due to preambles that are not consistent with their independent claims.

The Applicant has amended claims 30-43 and 58-66 to make the preambles consistent with their independent claims. Applicant believes that these amendments overcome this rejection.

Claims 21 and 18-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Oliver* (6,166,329) in view of *McDonald* (6,335,753) and *DeMarre* (6,037,912). Applicant respectfully traverses.

Claim 21 is an independent claim with claims 18-20 dependent therefrom. Claim 21 includes a plurality of studs, satellite wires positioned adjacent to the studs having a first termination outside the building, a connector coupled to the second termination, a drywall layer, and a radome that encloses the first termination. As stated in the previous Office Action, *Oliver* merely teaches electrical wires positioned within the wall. *Oliver* does not teach or suggest anything related to satellites. The *McDonald* reference illustrates phone wires positioned within a wall that carry reception from a satellite. The *DeMarre* reference is directed to a low profile bi-directional antenna. Applicant admits that a radome 104 is illustrated in the *DeMarre* reference. As shown, the radome has a connector 112 that is mounted to the antenna components housed within the radome 104. The connector protrudes from a hole in the radome sidewall 107, for connecting an external transmission line 113 such as a coaxial cable (Col. 3, lines 50-54). Thus, the coaxial cable does not have a termination within the radome. The termination of the coaxial cable is outside the radome. The signal is transmitted from within the radome to the coaxial cable through the connection 112 positioned on the outside of the radome. Thus, the element of "a radome enclosing said first termination" is not taught or suggested by the *DeMarre* reference. Thus, even if the references are combined, all the elements of claim 21 are not shown.

The Examiner states that, "The motivation for substituting Oliver's disclosure with McDonald's satellite wire and DeMarre would have been to provide the satellite signal into the building for TV, Internet service, cellular phone, etc. and protecting the antenna from exposing to UV." Applicant respectfully submits that the Examiner is deriving 'motivation' from the teachings of the present application. *Oliver* does not teach or suggest anything to do with satellites. The satellite wires described in *McDonald* teaches a wired connection but fails to teach studs and drywall and a

termination with a radome. In fact, the *McDonald* reference does not teach or suggest the use of a radome. The *DeMarre* reference teaches a radome with an antenna therein but fails to teach the wire termination within the radome. Also, the *DeMarre* reference fails to teach studs, drywall and placing the wires within the walls. Applicant respectfully submits that the motivation is merely impermissible hindsight gained from the teachings of the present invention. Further, even if the references are combined, the present invention cannot be formed as described above.

Claims 18-20 are further limitations of claim 21 and are believed to be allowable for the same reasons set forth above.

Claims 21-23, 25, 27, 29-39, 41-43, and 57-65 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Oliver* in view of *McDonald* and *DeMarre*. Applicant respectfully traverses.

The rejection of claim 21 is described above. Claims 22-28 should be allowable for the same reasons set forth above with respect to claim 21.

Claim 29 is directed to a multiple-unit dwelling that has similar scope to that of claim 21 except that more than one system is contemplated and thus four terminations are recited.

Claims 30-43 are believed to be allowable for the same reasons set forth above with respect to claim 21.

Claim 44 is a method for forming a multiple-unit satellite ready building that is similar in scope to claim 29, that is, first, second, third, and fourth terminations are described. Applicant respectfully believes that these claims are allowable for the same reasons set forth with respect to claims 29 and 21.

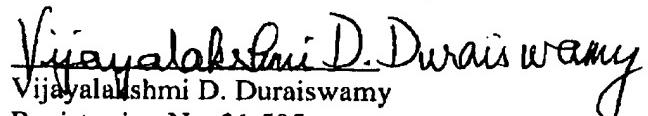
Claims 45-56 are also believed to be allowable for the same reasons with respect to claim 44.

Claim 57 is directed to a multiple-unit satellite ready building. Claim 57 is similar in scope to that of claim 29 and is believed to be allowable for the same reason set forth above.

Claims 26, 28, 38, 45-56, and 65 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Oliver* in view of *DeMarre* and *Spano* and *Iwamura*. As described above, the *Oliver* and *DeMarre* reference have missing elements and do not provide the motivation for the proposed combination. The *Spano* and *Iwamura* references fail to teach or suggest the combination or the termination within a radome. Therefore, dependent claims 26, 28, 38, and 65 are believed to be allowable for the same reason set forth above.

In light of the above amendments and remarks, applicant submits that the rejections are now overcome. Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments that would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney at the below-listed number.

Respectfully submitted,


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Date: April 10, 2003

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